App.F.IX-4]

1926 (S. Nagpur)

File No. 57-25

Previous References.
74-05
153-23
32-13

Serial Nos. 1—8

Later references.
68-26-1-5
6-11

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 8

Part B for March 1926

SUBJECT

~~Petition~~ Petition from Syed Sha Ali appealing against the Nagpur Commr's order re appointment of Syed Kutbuddin as Mujawar of the Raja Hussain Dargah at Bahadurpur & prays for a stay order with the case

RE 827 dated 12.1.26 To the Petitioner

As there are no fresh grounds the review application, the application is rejected

G. R. S. III—1] 1925

GENERAL AND REVENUE SECRETARIAT

(Inuzrai)

NOTES.

File No. 57
1925

FILE HEADING.

Inuzavar's post of Raja Hussein Darga at Balepet, Bangalore city.

From

Syed Sha Ali, Inuzavar of The Darga.

No. Petition Dated Received 26.8.1925.

Diary No. 252	Enclos 2 Spare Copies -	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Appeals against the Inuz order directing trial as under 107 Cr.P.C. and prays for a Stay order during disposal of the appeal

NOTES AND ORDERS.

The petition is duly stamped. A copy of the order appealed against has been produced.

2) The petition was presented to the members and has been received

NOTES—First Sheet.

Serial No.

with the following order:—

3) Records may be called for and submitted with a note within a fortnight".

4) Muz. F. nos. 74 of 1905 and 32-13 and 153-23 on the subject, are submitted.

5) G.O. no. 1943 D/ 19-10-21 explains the facts of the case. It will be seen from this order that the claims of the appellant - Syed Sha Ali - who now advances his right to the muzavar's post in question, have been rejected and the respondent Syed Kutbudin has been declared as the muzavar.

6) The Muz. Comrs. order on appeal against Shaikh [illegible] as directed by Govt.

WD 0561—GPB—3750—1 8 22

Serial No.

be appointed as the Muzavar.

7) The petitioner complains that the conduct of Syed Kutbudin mentioned in Rev. ~~Comrs~~ Govt's. letter of August 1924 and the statements of witnesses have not been considered. The Muz. Comr's order states that no documents have been produced to show that Syed Kutbudin is unfit for the post in question

8) Dft. calling for report. Submr. for appn.

AL 28.8.25 9) The Appellant's request that a stay order may be granted pending trial of the Dft. 2. May order may be passed in favour.

Issue & remand. 28.8.25

WD 0561—GPB—3750—1 8 22

Muzrai Secretariat | Muz. File No. 57 of 1925

Serial No. 2.

To: Muz Commr. No 267 dt 27.8.25

Calls for report re: [illegible] records [illegible] [illegible]

10) The [illegible] [illegible] [illegible] [illegible] has [illegible] [illegible] [illegible] [illegible] [illegible] As desired

[illegible] 29.8.25

11) Records have been called for as directed. The petitioner asks for a stay order, which does not seem to be necessary. For orders.

[illegible] 2.9.25

(Sr. member)

11/29 12) Not necessary now. Question of [illegible] [illegible] and [illegible] be considered if there is [illegible] [illegible] [illegible] in the disposal of the case

[illegible] 4/9

[illegible] 5.9.25

WD 0561—GPB—3750—1 8 22

Muzrai Secretariat | Muz. File No. 57 of 192 5

Serial No.	
3.	From, the Muz Comr Letter no. C. 237 dt 12.9.25 Submits the record connected with the case
	13) J.O. no. 1943 dt 19-10-25 (C) goes fully into the facts of the case.
(14)	14) In his comn to the Dy Comr., the Muz. Comr states
	that Govt have recognize Syed Khuthbdin as the right
(13)	heir to the office in preference to Sha Ali,
	that there is nothing to show that Khuthbdin is
	unfit to hold the office in question, and requests
	that Syed Khuthbdin be put in possession of
	the office.

WD 0561—GPB—3750—1 8 22

Serial No.

Against this order, Syed Sha Ali has appealed & Govt his chief complaint is Syed Khutbudin is unfit & for the post as reported by the Amildar of Chikkanaikanahalli, and others, and that his claims & the office may be considered.

15) So far as the appellants' claims are concerned, Govt. have decided that Syed Khutbudin has better claims and has appointed him as the Inamdar of the Dargah (vide G.O. dt 20-10-1934)

As regards the competency of Syed Khutbudin to discharge the duties, the Amildar of Chickanaikanahalli reports

NOTE—Contn. sheet

WD 0561—GPB—3750—1 8 22

S. III. 2]

Muzrai Secretariat | Muz. File No. 5 of 192 -

Serial No.

connection with the Khazi ship of Kandikere, chickunaikanahalli Taluk, That Syed Khalandar-Khazi- told him that Khuthroos was not known to be learned in any matter, and that his social position was not of much importance

4) On the contrary, the Huissar of Bangalore Taluk reports that several prominent men have said that Khuthroos is able enough to do the duties.

17) He is a largely signed petition addressed to the Inam Commr. wherein it is mentioned that Syed Sha Ali is illiterate and has never performed the Inams till now, and that

D

NOTE—Contn sheet

WD 0561- GPB- 3750—1-22

Muzrai Secretariat | Muz. File No. 57 of 192 5

Serial No

Khuthbuddin who is a hakdar, has all the qualities which a Muzavar should possess.

18) There are certificates from the Heads of Mahomedan castes and other respectable Gentlemen stating that Syed Khuthbuddin is competent to do the duties of Muzavar.

19) Salami for mosque

Rs. 25.

20) Syed Khasim (I)

Rahboob bi (daughter) | Syed Peer (daughter) married Sy. [illegible] 2

Kuthbuddin 3

21) Syed Khasim the Muzavar died 30 years ago and [illegible]

[illegible]

NOTE—Contn sheet

WD 0561—GPB—3750—1 8 22

Muzrai Secretariat

Muz. File No. 57 of 1927

Serial No.

he was duly objected
Syed Kutbuddin's claim for the
appt was requested
was appointed in the Govt order
October 1921. But since
then, the Collr was informed
that Kutbuddin was not
eligible for appt & had bad
company ve & allowed
Shah Ali & continue in
office. On Kutbuddin appealing
to the M.C. in the matter, he
ordered that the Govt order
shd be given effect to.
22) Many complaints in
behalf of Shah Ali is that
he has been discharging the
duties of the office for the
last 30 years & Collr
has not yet invested
Kutbuddin with the

NOTE—Contn sheet

WD 0561 - GPB—3750—1 8 22

R. S. III. 2]

Muzrai Secretariat | Muz. File No. 57 of 1925.

Serial No.

3) The Asst Comr's order is quite correct, there being no satisfactory grounds to show that Kutbuddin recognizes Hakeem is unfit to the Post of Muzawar. The appeal must be rejected

16/9/25.

Rev. Insp.)

467/25

1st member) 16-9-25

18/9/25.

24) The right of Syed Kutbuddin to the appointment as Muzawar in preference to the petitioner Syed Ali has been recognised in S.O dy 19th and 21. The petitioner's request to have this case reviewed cannot be considered as the decisions of the Govt, as he did not file an appeal promptly for a review, the order of the Govt is to be so. The petr's claim to the Muzawar may be considered if Syed Kutbuddin is found unfit for the office or unwilling to take it up. Syed Kutbuddin is quite willing now to take up the office - is unfit. The petr is to do so - and then a satisfactory evidence is shown that he

NOTE—Contn sheet

WD 0561—GPB—3750—1 8 22

Serial No

4. By the Inves. Commr., no. 378 dy 3-10-25.

Rejects the appeal petition of Syed Sha Ali.

5. From, Syed Sha Ali,

Review-application dy 21-10-25.

Prays that on a re-consideration of Sanad order dy 3-10-1925, he may be continued as the muzavar, and that pending final orders in the matter, a stay order may be issued not to give effect to the said order.

24) The Review-application is properly stamped and is in time.

Rev-Secretary's order thereon:-

30) Please put up the file immediately with a note. The petr. wants a stay order on the ground that all orders hitherto passed are expire.

31) The facts of the case are given at length in the previous papers of the file note.

32) S.O. dy 19-10-1921 which explains the facts of the case rejects the claims of the petr.- Syed Sha Ali- and declares that Syed Khuda-

Note—Contn Sheet

Serial No

is the rightful heir & the office of muzavar in Question.

33) The Inq. Comr. found that the said Syed Khutbudin was competent for the place and directed that the order dated 1921 should be given effect to.

34) Against this order, Syed Sha Ali appealed & Govt. but on a perusal of the records connected with the case, The Inq. Comr's. order was confirmed and the appeal petition of Syed Sha Ali was rejected. (G.O. No. Dy 3-10-1925).

35) He has now put in a Review-application for a reconsideration of this order.

36) There are no fresh grounds for a re-consideration of the previous order. The case was fully gone into at the time of passing G.O. 4th October 1921.

37) A stay order is also prayed for. The petr. suggests in the last para that he and his opponent Khutbudin may be ~~ordered~~ to hold the office in ~~rotation~~ turns. Some general

Submitted

Dy. No. 28-11-25

Note—Contn Sheet

Serial No

38) No review application made rejected
(Rev Secy) 2.11.25.
1st Member) 2-11-25

3.11

39) The dancer who presented this appn wants to be heard before it is disposed of. She may be given notice to appear ~~Tuesday~~ on 10th inst at 12 noon
3/11

40) Dft. notice Submitted.
AD 3-11-25
3/11

41) Issue 3.11.25.

42) The counsel for the petr was heard fully.

43) An Endorsement with the grounds of the petn stating therein reasons mentioned in the order dt 3rd Oct 1925. Govt are unwilling to grant ~~Cannot allow~~ this request & be continued ~~abandoned~~ in charge of Thakkarbhai Jivanbhai
Dn
7/11/25
10-11-25

Note—Contn. Sheet

Serial No

44 Dft on the petition
AV
16.11.25. 16/11/25

45) Issue
19.11.25.

(6) To, Syed Sha Ali,
Endt no. 609 dt 20-11-25
Rejects the review-application.

By the Muz. Comr
Memo no. 610 dt 20-11-25.
Forwards copy of the above.

7 From, Syed Sha Ali,
Petition dt 12.12.25.
Prays that on a re-consideration of the previous orders, he may be appointed as the Muzawar of the Dargah and for that pending orders on his application, a Stay order may be issued not to give effect to the order appointing Khuthbudin as the Muzawar.

46) This is a II nd review-application. It is addressed to the Dewan. The petr wanted to present it to the Dewan, but he was not allo

Note—Contn. Sheet

WD 0569—GPB—40,000—1-7-2

A App. F. III—2]

File No. of 192 .

General and Revenue Secretariat

Serial No.	

NOTE—Contn. Sheet

General and Revenue Secretariat | File No. 57 | [App. F. III—2 of 1925.

Serial No

to see him, as his 1st Review application has rejected once although presented through an Advocate.

47) There are no fresh grounds for a re-consideration of the previous orders.

48) may the review application be rejected?

Submit. for orders.

[illegible] 24.12.25 [illegible] 49) May be rejected.

24/12/25 [illegible]

30/12

(1st memo)

23/2.1

50) [illegible] 3/1/26

4/1

51) D/R. and submitted.

[illegible] 11.1.26 [illegible] 4.1.26 52) Issue

7/1/26.

8 Z. Syed Shamsi

No 827 dt 12.1.26.

Rejects the revision

No 828 dt 12.1.26. Copy to Govt Counsel

NOTE—Contn Sheet

App. F. III—2]

File No. of 192 .

General and Revenue Secretariat

Serial No.	

P.46

TWO UP

GEN. & REV. SECTT.
27 AUG 1925
MUZRAI
D.No. 252

BEFORE THE GOVERNMENT OF HIS HIGHNESS

THE MAHARAJA OF MYSORE.

Muzrai Appeal No. of 1925-26.

Appellant:-

Syed Sha Ali, Muzaver of the Raja Hussain Darga.

The appellant begs to state that the Raja Hussain Darga is a Muzrai Institution at Balepet, Bangalore City. Appellant's father-in-law Syed Khasim was the muzaver of the Darga. He had neither male issues nor uterine brothers. When he died, he left behind him his widow Rahimanbi and two daughters Raboobi and Syed Bi. His widow Rahimanbi succeeded, after his death, to his properties and the Darga. She was managing the Darga affairs with the help of her son-in-law (the appellant). At the time of her death, her daughter (appellant's wife) Syedbi had a son by name Syed Ahmad. The other daughter Raboobi had no children.

Two years before Rahimanbi's death, she (Rahimanbi) executed a registered will in which it is stated that her daughter Syedbi, her husband Syed Sha Ali (Appellant) and their son Syed Ahamad are the only claimants to her properties and the Darga.

After the death of Rahimanbi several persons such as Syed Abdul Khadir, his son Syed Issak and

and Syed Khutbudeen put in petitions claiming the muzavership of the Darga and several orders appointing Syed Issak at one time and Syed Kutbudeen at another, as muzavers of the Darga. There was no regular and full enquiry at any time and none of these orders were given effect to. The appellant Syed Shah Ali is in possession of the Darga continuously for over 35 years and is managing its affairs satisfactorily without any complaint.

He has even spent a large amount of his private money for the upkeep of the Darga.

On an application of Syed Kutbudeen, the Muzrai Commissioner has now ordered without enquiry, that the Darga should at once be handed over to Kutbudeen. He has not even considered the conduct of Syed Kutbudeen mentioned in Revenue Secretary's letter of August 1924 and in the statement of several respectable gentlemen of Bangalore City such as Messrs. Oosmankhan and Couse Razvi, Honorable Magistrates, taken by his predecessor Mr.K. Chandy (the present 2nd Member of the Council).

As regards Syed Issak's claim, it has already been decided in G.O.No.1973/Muz.32-13-16 dated 20th August 1921 that his father Syed Abdul Khader was not a uterine and undivided brother of the original hakdar Syed Khasim, moreover this Syed Issak is now dead and he has no heirs.

~~As regards Syed Issak's claim, it has already been decided in G.O.No.1973/Muz.32-13-16 dated 20th~~

As regards Syed Kutbudeen's claim, according to

according to usage and Mahomedan law, this Syed Kutbudeen who had not yet been born when Rahimanbi died is not the nearest heir to her. Rahimanbi's another daughter's (Syedbi's) son Syed Ahamed was alive when she died. According to the will, the usage and the mahomedan law this Syed Ahamad was the nearest claimant to her properties and Darga after her death. After Syed Ahamad's death, which occurred two years after Rahimanbi's death, his father Syed Sha Ali (the present appellant) is the lawful claimant. Moreover this Syed Kutbudeen is unfit for the post being unable to read 'Puthcha in the Darga as deposed to by several respectable gentle men of the Bangalore City and the Amildar of Chikkanayakanahally. This Syed Kutbudeen being unable to do the services had relinquished the khaji's post in favour of another man and has brought the masjid at Chikkanayakanahally where he was a Khaji into ruins. Recently this Syed Kutbudeen has even sold his right of muzavership in favour of another person which has already come to the notice of Government. He even demanded Rs.700/- from the appellant to keep quiet and there are witnesses to speak to this fact. To the appellant's misfortune the Muzrai Commissioner did not take into consideration any of these facts and has passed orders to give immediate effect to orders appointing Kutbudeen as muzaver of the Darga.

The appellant therefore begs that his claims to the office may kindly be considered and he may be ordered to continue as Muzaver.

He also prays that pending final orders the Muzrai Commissioner may kindly be ordered to keep his order in abayance.

The endorsament granted by the Muzrai Commissioner and the copy of the endorsement dated 29th November 1907 granted by the Government are herein enclosed.

Bangalore)
)
26th August 1925.)

F.VI G1.] B650

SUBJECT

Section Mur

File No. 57-25

Serial No. 2

Diary No of letter replied to

No. 267

To The Inuz. Corpe

General and Revenue Secretariat

( )

, *the* *192*

Sir,

I am directed to forward herewith petition Regd. no. 252 of 26-8-25 from Syed Shah Ali of Bangalore appealing against your order directing that Syed Kutbudin be appointed as the Inuzavar of Raja Hussein Darga at Balepet, Bangalore city, and to request that a report in the matter

Date of issue 29 - 8 - 25

Signed by Mr T Ramayya

List of enclosures

Copied by

Examined by

over

so as to reach this
Office before the 10th
September 1925

I have etc.

Dy Sr - Rev Secretary
28.8.25

Dy Rd 28/8/25

With ref. to his petition
No. 252 dt 26/8/1925
appealing against the
Muz Commissioner appoint-
ing Syed Kutbudin
as the Mujawar of
Raja Hussein Dargah
Balepet, Bangalore
Syed Sha Ali is informed
that a report with
records has been
called for from the Muz
Commr ~~and that no stay~~
~~order can be issued as~~
~~prayed for by him.~~

OB

Dy Rev Secretary
Rd 28/8/25

NOTE—Contn. Sheet

12947

22

No. C 231 of 25-26 Office of the Muzrai Commissioner in Mysore.
Three files.

Dated Bangalore, 12th September 1925.

From

C. S. Balasundaram Iyer, Esq., B.A.,
Muzrai Commissioner in Mysore,
Bangalore.

GEN. & REV SECRETARIAT
14 SEP 1925
MUZRAI

Dis 340
Muz 57-25-3

To

B. Srinivasa Iyengar, Esq., B.A., B.L.,
Secretary to the Government of His
Highness the Maharaja of Mysore,
Revenue Department.

Sir,

In continuation of this office letter No.C.231 of 25-26 dated 10th September 1925 and with reference to your letter No.267/Muz.57-25-2 dated 29th August 1925 calling for submission of the entire --- records connected with the Muzavarship of Raja Hussen Darga at Balepet Bangalore City, I have the honor to submit herewith the entire file of records received with the Bangalore Deputy Commissioner's letter No.C.3 1010-25 dated 11th September 1925 together with this office file D1 Dis. No.-19 dated 11-8- 25 which contains a note giving in detail the facts of the case.

2. The petition from Syed Sha Ali received with your letter under reply is also submitted with its enclosure.

I have the honor to be,
Sir,
Your most obedient servant,
CS Balasundaramayya
Muzrai Commissioner.

KSR.

Letter No.D.1.Dis.19 of 25-26 dated 10th August 1925 from the Muzrai Commissioner in Mysore, Bangalore, to the Deputy Commissioner, Bangalore District.

With reference to your letter No.O.C.2136 of 23-24 dated 15th July 1925 reporting re: the Muzavarship of Haja Hussein Darga at - Balepet, Bangalore City, and recommending that Dha Ali the present Officiator may be appointed as Muzavar, I have the honor to forward herewith the petition of Kutbuddin presented to this office on - 25-7-25 and to observe that the Government Order No.197/Muz.23-31-6 (71) dated 20-10-21 and the further directions given on the Government - Order of 7th August 1924 (No.216/Muz.153-23-5) re: the petitioner - Katbudin have now to be given effect to. There is nothing to show that Katbudin is unfit to hold the office in question. He has been recognised as the rightful heir to the office in preference to Dha Ali He should therefore be placed in possession of the office. It is therefore requested that this may be done early.

The file of records received with your letter under advertance - together with a petition presented by certain Mahomedans to this office on 31-7-25 urging the claim of Kutbudin is herewith returned.

No. 657
Date 20-8-25
COMMISSIONER BANGALORE TALUK

Encls. 40/25-26
One big file.

Office of the Deputy Commissioner,
Bangalore District,
Dated Bangalore, 20th August 1925.

Copy of the above with enclosures is forwarded to the Sub Division Officer, Bangalore Sub Division, for information and -- needful further action early. The file of papers ending with his No.H.C.329 of 23-24 dated 25th June 1925 is returned herewith.

for Deputy Commissioner,
Bangalore District.

H 2561
Muz
dt 26/8/25

H.C. 329/23-24
dt 25-8-25

H.C. 364
25.8.25

Forwarded to the amildar of the Bangalore Taluk together with the file of vernacular papers for information & necessary action.
21/8/25

S. D. C

ECT.....

.....

Diary No. of letter replied to .....

General and Revenue Secretariat

(.

, *the* 191

Date of issue 30 Oct 25

Signed by Ali Y Ramaiya

May this be

i Printed ?

ii treated as a standing order ?

iii published in the Gazette, English Part ?

iv translated ?

v placed at the disposal of the press ?

vi published in the Gazette Kannada Part ?

Section Mun

File No. 57-5

Serial No. 4

Proceedings of the Government of His Highness the Maharaja of Mysore.

GOM. 1973/Mun 32-13 dt 20 10 25

Recognising the claim of Kutbuddin & the Murzavanship of the Raja Hussain Dargah at Balepet, Bangalore City

Read—

Petition Regd no 252. 26th Aug 1925 from Syed Shah Ali appealing against the Asst. Comrs. order directing that as ordered by Sovt Syed Kutbuddin be appointed as the Order Thereon No

Murzavan of Dargah ~~at Balepet, Bangalore~~.

correspondence ending in the letter no C 23 dt 12th Sept 1925

Inuz Cinch in my last
Reporting on the Subject

Order Passed

378 / C 3rd 10 28

the right of Syed
Khurshid to be appointed
as Inuzawan in preference
to the pet. Syed Cha Ali
has been recognized
in this S.O ~~no 1973 - Inuz 32-13~~
as above -
~~dt 20-10-1928~~. The pets.
~~lawyer~~ present request
to have this order revised
on its merits cannot be
considered at this distance
of time ~~as~~ the should have promptly ~~treated~~ applied for
~~have appealed promptly~~
for a review of the order
if he wished to do so.

The pets claim to
continue as Inuzawar
may, however, be
considered if Syed Khurshid

List of enclosures.

Copied by

Examined by

WD 1714—GPB—30,000—17-3-19

G. R. S G/33]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

is found unfit for the office or unwilling to take it up. Syed Khurshid is quite willing now, to take up the office ~~if~~ is in fact anxious to do so; and there is ~~not~~ No Satisfactory evidence to show that he is unfit to discharge the duties of the office opinions of the leading Mahomedans being divided on this point. In the circumstances ~~and in the absence of satisfactory evidence of his unfitness for the office~~ The order already passed in 1921 appointing him to the office will have to be enforced.

By the Board's order

WD 2230—GPB—1,50 000—23-7 20

has appealed against
by the petn. amounts
only to a direction to
the Dr. Comr. to give
effect to the Govt. order
of 1921, Govt. see
no grounds to interfere
with it

The petition is
accordingly rejected

1.10.28

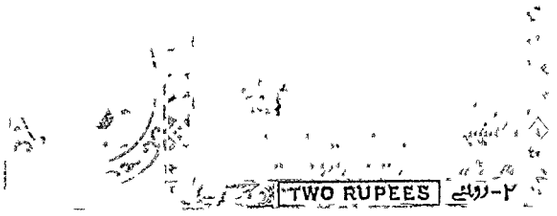
Dy. Rev. Secretary

29.9.28

To the Dy. Comr. with records.

Records sent on 5-10-28

RS
5.



529.

a2 57-25-5

BEFORE THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Muzrai Review Petition No. of

Petitioner:-- Syed Sha Ali Muzaver of the Raja Hussain Darga at Balepet, Bangalore City.

The petitioner humbly begs to represent that his claim to the muzavership of the Raja Hussain Darga at Balepet, Bangalore may be reconsidered and the order passed in G,O. No.378/Muz. 57-25-4 dated 3rd October 1925 may be reviewed on the following among other grounds:--

1. As required in Section 33 of the Muzrai Regulation there was no regular and full enquiry, by any Muzrai Officer at any time to ascertain the claims of several persons since the death of the petitioner's father-in-law, the late Muzaver Syed Khasim. Whenever an application was ~~fixx~~ filed by any one of the parties the other party had no notice of it and thereby he had no opportunity to put forward his claims in full. All the orders hitherto passed were more or less expartee. Similarly the petitioner had no knowledge of the Government Order appointing Syed Kutbudeen as Muzaver till very recently and to apply promptly for the revision of the said order. The petitioner has therefore been holding the sacred office of the Muzaver without interruption, break or disturbance for over 35 years.

As already represented in my previous petition the petitioner's claim to the office are as follows:--

Petitioner's father-in-law Syed Khasim was the Muzaver of the Darga in question. He had neither male issues nor uterine brothers. When he died he left behind him his widow Rahiman Bi and two daughters Rabba Bi and Syeda Bi. After his death his widow Rahiman Bi succeeded to his properties as well as the Darga. She was managing the Darga affairs with the help of her son-in-law (the petitioner). At the time of her death, her daughter, (petitioner's wife) Syeda Bi had a son by name Sye Ahmad. The other daughter Rabba Bi had no children.

Two years before Rahiman Bi's death she executed a Registered Will, in which it is stated that her daughter Syed Bi, her husband Syed Sha Ali (petitioner) and their son Syed Ahamad should be the only ~~xxxx~~ claimants to her properties and the Darga.

The petitioner Syed Sha Ali is thus in possession of the Darga continuously for over 35 years and is managing its affairs satisfactorily without any complaint. He has even spent a large amount of his private money for the up-keep of the Darga.

As regards the capacity of Kutbudeen to the Muzavership, the petitioner begs to state that he is only an instrument in the hands of the petitioner's enemies. He is unfit for the pos being unable to recite even "Fateha" in the Darga. This can be verified by examining him in person. A few persons influenced by the petitioner's enemies have certified his fitness to hold the said office but the petitioner learns that they ~~xxx~~ did not examire Khutbuddin in person. His behaviour in selling his "Khaji hak" at Kandikere in the Chikkanayakanahally Taluk and Muzavership of the Darga in question itself shows that he is unfit for the post. This has already been noticed by the Government (vide Revenue Secretary's letter to

to Muzrai Commissioner dated 7th August 1924).

Though the Government had directed the Muzrai Commissioner to enquire whether Syed Kutbudeen was competent to hold the office of the Muzaver, no enquiry was held, and the Muzrai Commissioner did not even take into consideration any of the reports of the local officers both in Bangalore and Tumkur Districts.

The petitioner humbly prays that the order passed in Government Order No. R 378/Muz.57-25-4 dated 3rd October 1925 may kindly be revised and a full and formal enquiry may be ordered to ascertain that the petitioner is the proper claimant to the muzavership.

He further prays that pending final orders in the matter, a stay order may be issued not to give effect to the above said Government Order of 3rd October 1925.

The petitioner is an old man with a number of young children mainly depending upon this Darga.

In case the Government are not inclined to order a formal enquiry the petitioner and Syed Khutbudeen may kindly be ordered to hold the office by turns of one year each for which act of kindness the petitioner will ever pray for your Honour's long life and continued prosperity.

Bangalore,
27th October 1925.

(Sd) Syed Shah Ali.

Before the Government of His Highness the Maharaja of Mysore

~~In the Court of the~~

Mysore Case No. of 1925.–1926.

Petitioner

~~*Appellant Plaintiff*~~ ~~*Respondent Defendant.*~~

Syed Shah Ali

Vs.

I the Petitioner ....above named do, by these presents, retain Mr. O. S. N. SHERIFF, M A., (Litt.) L.L.B. Advocate to appear and conduct the above case on my behalf to judgment.

2.....I..... further empower him to do all necessary acts in the above case, to execute any decree or order that may be passed in my behalf and to receive from the Court all documents, refunds, and all sums of money that I may be entitled to get and grant receipts therefor.

3.....I....also undertake to confirm and ratify all the acts done by the said Advocate or by any other Advocate on his behalf in so doing.

BANGALORE,
29-10-1925.

(Sd) Syed Shah Ali

Personally known to me and signed in my presence,

O S N S

Accepted

O S Narasimha Sheriff
Advocate for the Petitioner

G. R. S. VI—G/32]

SUBJECT..... ... .

....

....

Diary No. of letter replied to——————

General and Revenue Secretariat

( )

, *the* 191 .

Date of issue 5-11-25

Signed by L. Rowsi for

Section Mcy

File No, 57-25

Serial No

No. 5311

To ~~Ko Inspector, post~~ of Raja Hussain Danga, ~~Bakpet~~, Bangalore

Mr D. S. Vasavilla Shetty, Advocate, is informed That ~~2~~ The Revision application presented by him on behalf of Syed Sha Ali regarding the ~~Said post~~ will be heard by Court on Tuesday The 10th instant and

over.

Mirasdar for
Raja Hussain
Dana Pet
Bangalore

that he is requested to
appear before this Ct
that day at 12 noon

By order,

(By) Dr Ref Secretary

List of enclosures.

Copied by

Examined by

SUBJECT

Diary No of letter replied to

General and Revenue Secretariat

( )

, the 192

Date of issue 20-11-25

Signed by L. Ramaiya

List of enclosures.

Copied by

Examined by

Section Misc

File No. 57-2

Serial No. 1

No. 609

To

Endorsement granted to Syed Sha Ali Thrangha his Advocate Mr O.S. Nasimha Sheriff, with ref. to his Review-application no. 529 dt 27th October 1925, praying that on a Re-consideration of Govt order no. 718 dt 3-10-1925 (Rev 57-1-25) he may be continued as the Muzavar of Raja Hussain Darga at Balepet, Bangalore

The party is informed that for reasons

over

in The order of ~~2 October 1925~~
Sought to be reviewed
Govt are unable to
grant his request to
be continued in
charge of The Muzaffarship
in question. His review
application is accordingly
rejected.

By order

(G. H. S.)

Asst Secretary.

By G. H. S.

Dy. Secretary.

True Copy

Copy to the Muz-
affar in Order of Govt. No.
378 dy 3 to 1925.

By order

Asst Secretary.

By G. H. S.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE,

General and Revenue Secretariat,

Dated, Bangalore... 20th [illegible]

No. 609

Muz 57-25-6

ENDORSEMENT.

Endorsement granted to Syed Sha Ali through his Advocate Mr. D.S. Nasirulla Sheriff, with reference to his Review application No. 529 dated the 27th October 1925 praying that on a reconsideration of Government Order No. 378 Muz. 57-25 dated the 3rd October 1925, he may be continued as ~~a~~ the Muzavar of Raja Husseni Darga at Balepet, Bangalor

---

The petitioner is informed that for reasons mentioned in the order sought to be revieved, Government are unable to grant his request to be continued in charge of the Muzavarship in question. His review application is accordingly rejected.

By order,

[illegible]

[illegible] for Secretary to Gove

Muz D. No 689
Muz. 57-25-7

'ew application To
bear rejected and
Memorialist are
requested
an advocate-
Court Rep The Dewan

OFFICE OF THE DEWAN
OF MYSORE.
Date of Receipt 14-12-25
Petn. Regr. No. 138

The Dewan Saheb,

BANGALORE.

14/12/25

Most Respected Sir,

Your humble memorialist begs to appeal against the order of the 2nd Member of Council in Muzrai Appeal No. 378/Muz.57-25 dated 3rd October 1925 and Muz. Review No. (7) 529/Muz.57-25-6 dated 20th November 1925.

(4)

Raja Hussain Darga is a Muzrai institution at Balepet, Bangalore City. One Syed Khasim was the Hakdar Muzaver of the Darga. He had neither male issues nor uterine brothers. He had only two daughters of whom memorialist's wife is one. After the death of Syed Khasim, his wife Rahiman Bi succeeded to his properties as well as the Darga. She was managing the Darga affairs through her son-in-law (memorialist). At the time of her death her daughter Syed Bi (memorialist's wife) had a son by name Syed Ahamed. Whereas the other daughter Raboobi had no issues.

The following is the geneological tree showing the respective claiments:--

Syed Khasim (wife Rahiman Bi)

Syed Bi (husband Syed Sha Ali memorialist).	Raboobi
Syed Ahamed.	Syed Khutbudeen.

Rahiman Bi executed a will (Registered) stating

that her daughter Syed Bi, her husband Syed Sha Ali (memorialist) and their son Syed Ahamed should succeed to her properties and the Darga after her death. Syed Bi and Syed Ahamed died long after the death of Rahiman Bi. Another daughter Raboo Bi gave birth to Syed Khutbudeen long after Rahiman Bi's death.

After the death of Rahiman Bi, her daughter Syed Bi and grand son Syed Ahamed were therefore the legal claiments to the Darga. After their death, the memorialist Syed Sha Ali.

Your humble memorialist is managing the Darga affairs continuously for over 35 years without any complaint. He has spent large sums out of his private money for the repairs &c., of the Darga. Subh being the case one Syed Isak put in a petition claiming the muzavership, on the ground that he was the nephew (brother's son) of the late Syed Khasim. Orders were passed without proper enquiry, appointing him as the muzaver. Later on Syed Kutbudeen appealed against this order and claimed the muzavership to himself. Even then there was no proper enquiry, but the former order was cancelled on the ground that Syed Isak's father was not the uterine brother of Syed Khasim and orders were passed appointing Syed Kutbuddeen as the muzaver. This Kutbudeen is illiterate and unfit for the sacred post of muzavership which fact was deposed to by Messrs. Usman Khan (District Board vice President), Gouse Razvi (Moulvi) and several others. This Syed Kutbudeen was the Hakdar Khaji of Kandikere in the Chikkanayakanahalli Taluk. Being unable to do the work he sold his hak to some other per- persons. This fact has been reported by the Amildar of

of Chikkanayakanahally Taluk. Besides this Syed Kutbudeen tried to dispose of his hak to the muzavership of the Darga in question, soon after his appointment as such.

As there was no disturbance, the memorialist was not aware ~~of~~ of these orders till very recently when a notice was served upon him to hand over the charge of the Darga to Syed Kutbudeen. The appeal petition and the review application presented by the ~~2nd Member of Council~~ memorialist were to the misfortune of the memorialist, dismissed by the 2nd Member of Council without any enquiry.

Your humble memorialist has now approached your honour and pray that a formal and full enquiry under Section 33 of the Mysore Muzrai Regulation may be kindly ordered. He further prays that pending the said enquiry a stay order may be kindly issued not to give effect to the order appointing Kutbudeen as the Muzaver.

BANGALORE CITY,
12th Decr. 1925.

App I VI G1] B650

SUBJECT

Diary No of letter replied to

General and Revenue Secretariat
( )
, the 192

Date of issue 12-1-26

Signed by

List of enclosures

Copied by

Examined by

Section

File No. 57-25

Serial No. 8

No. 827

To

Endorsement granted to Syed Shahi with reference to his review application No 689 of 12th Dec. 1925 praying that on a re-consideration of the previous orders, he may be continued as the Muzavar of Raja Hussein Dargah at Balepet, Bangalore.

The petn is informed that there are no fresh grounds for a re-consideration

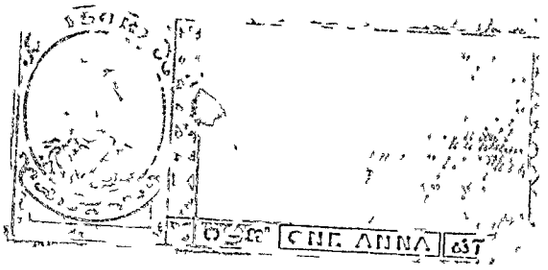
over

of the previous orders
on the subject. His
review-application is
accordingly rejected
by me.

Dy/ Rev Secretary -
4.1.26

Copy of the Mag. 828 of 12.1.26
Cmr in charge of this
Office letter no. 610-Mag. 57-25.
dy 20-11-1925.
B-o

Dy/ Rev Secretary
4.1.26



GEN. & RFV SECTT.
MUZRA
E. 497

Bangalore

APP. F. VI. Gl.]

SUBJECT.....

.....

.....

Section Mng

File No.

Seria No.

No. 1167 Ens 4 Mng

To .....

Diary No. of letter replied to...

General and Revenue Secretariat

( )

the *192*

Date of issue 19/3/26

Signed by Mr N.

(1) ನಿಬಂಧನೆಯಂತೆ ಅಧಿಸೂಚನೆ
378 ದಿ. 3-10-1925.

(2) 28-10-25ನೇ ದಿನಾಂಕದ
ನಂ ಪತ್ರ.

(3) 24). 1924
5-1-1924ನೇ ಸಾಲಿನ
ಪೊಲೀಸ್ ಕೈಪಿಡಿ

List of enclosures.....

ಪತ್ರಗಳೂ ಮತ್ತು ಕೈಪಿಡಿಗಳ
ಬಗ್ಗೆ ನಿಮ್ಮ ಪತ್ರ ದಿನಾಂಕ 27/10-2-26
ಕ್ಕೆ ಉತ್ತರವಾಗಿ ಈ ಆದೇಶ.

ಮೇಲೆ ಉಲ್ಲೇಖಿಸಿರುವ ನಿಬಂಧನೆಯ
ಪ್ರಕಾರ ಕೈಪಿಡಿಯಲ್ಲಿ ಅಡಕವಾಗಿರುವ
ಅಧಿಸೂಚನೆಗಳನ್ನು ಪ್ರಕಟಿಸಲು
ಸೂಚಿಸಿದೆ. By order,

Copied by.....

Examined by.....

Sd/- for Revenue

Secretary

over

17/3/26

WD 0562—GPB—31,000—17-8-25